

Appl. No. 10/065,595
Docket No. 125974/GEM-0053

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REMARKS / ARGUMENTS

Status of Claims

Claims 1-13, 16-18, 20-28, 30, 34-36, 40 and 42-53 are pending in the application. Claims 1-13, 40, 42, 43, 48, 51 and 53 stand rejected. Claims 1-13, 40, 42-43, and 48 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. §112, second paragraph. Claims 16-18, 20-28, 30, 34-36, 44-47, 49-50 and 52 would be allowable if rewritten or amended to overcome the objections set forth in this Office Action. Claims 51 and 53 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. Applicant has amended Claims 1, 5-8, 16, 17, 50, 51 and 53, leaving Claims 1-13, 16-18, 20-28, 30, 34-36, 40 and 42-53 for consideration upon entry of the present Amendment.

Applicant respectfully submits that the rejections under 35 U.S.C. §112, second paragraph, have been traversed, that no new matter has been entered, and that the application is in condition for allowance.

Claim Objections

Claims 16-18, 20-28, 30, 34-36, 44-47, 49-53 are objected to for reasons relating to informalities.

Applicant has amended Claims 16, 17 and 50 to address the informalities. No new matter has been added as antecedent support can be found in the application as originally filed such as at paragraphs [0017-0019] and Figure 1 for example.

Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw these objections, which Applicant considers to be overcome.

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Rejections Under 35 U.S.C. §112, Second Paragraph

Claims 1-13, 40, 42-43, 48, 51 and 53 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention.

Applicant has amended Claims 1, 5-8, 51 and 53 to further clarify the structure associated with the instructions. No new matter has been added as antecedent support can be found in the application as originally filed such as at paragraphs [0017-0019, 0023 and 0024] for example.

In view of the foregoing, Applicant respectfully submits that the claimed subject matter is described in such a manner that reasonably conveys to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection, which Applicant considers to be overcome.

Applicant has made amendments herein in an effort to advance this case to allowance. However, if a communication with Applicant's Attorneys would assist further in advancing this case to allowance, the Examiner is cordially invited to contact the undersigned so that any such issues may be promptly resolved.

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The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment, to Deposit Account No. 07-0845. In the event that an extension of time is required, or may be required in addition to that requested in a petition for extension of time, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-identified Deposit Account.

Respectfully submitted,

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